

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In Re**

**LEHMAN BROTHERS, INC.**

**Debtor.**

**Case No. 08-1420 (SCC) SIPA**

**AMENDED DECLARATION OF ERIC RACE**

**ERIC RACE** hereby declares, pursuant to 28 U.S.C. 1746:

1. I am the holder of Claim No. 1942 filed in this case. I make this declaration in response to the Two Hundred and Thirty-Seventh Omnibus Claim Objection (the "Objection") filed by the Trustee.

2. I was hired by Lehman Brothers Inc. ("Lehman") in October 2007 as a Sr. Vice President to be a Natural Gas Financial Basis Trader. Attached as Exhibit A to my response to the Objection (the "Response") is a copy of my proof of claim. My employment agreement with Lehman, which is annexed to my proof of claim, included a guaranteed bonus for 2008 in the amount of a minimum of \$1,000,000.00 and an annual base salary of \$200,000.00. *See* Response at Exhibit A.

3. In September 2008, Lehman filed for bankruptcy protection. I was still employed by Lehman at that time. I was advised by Lehman that the business unit I worked in had been transferred to Barclays as part of the Asset Purchase Agreement between Lehman and Barclays.

4. During that transition, I was not advised by any Lehman representative as to the status of my employment contract. In October 2008, I received an offer for separation from Barclays. Having not been informed by any Lehman representative that my employment contract had been transferred to Barclays, or that I had any contractual obligation to remain with Barclays, I ultimately accepted Barclays' offer for separation.

5. In sum, no one at Barclays or Lehman paid my guaranteed bonus from my employment contract. In addition, Lehman never informed me that Barclays had any responsibility for the payment of my guaranteed bonus specified in my employment contract.

6. Because Lehman was the party I contracted with, I filed a proof of claim for my 2008 guaranteed Lehman bonus.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 16, 2014



Eric Race